

PART I - SECTION B

SUPPLIES OR SERVICES AND PRICES/COSTS

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SECTION B

SUPPLIES OR SERVICES AND PRICES/COSTS

B.1 SERVICES BEING ACQUIRED

The Contractor shall, in accordance with the terms of this Contract, provide the personnel, materials, supplies, and services (except as may be expressly set forth in this contract as furnished by the Government) and otherwise do all things necessary for, or incident to, providing its best efforts so as to carry out in an efficient and cost-effective manner all necessary and related services to manage and operate the Government-owned Idaho National Engineering and Environmental Laboratory* (INEEL), located near Idaho Falls, ID and the Fort St. Vrain Independent Spent Fuel Storage Installation (ISFSI) located near Platteville, CO, as described in Section C "Statement of Work" of this contract

(* Includes the Specific Manufacturing Capability Facility located at Test Area North)

B.2 OBLIGATION OF FUNDS

The amount presently obligated under this contract is \$100,000.

Appropriation Symbol	8990224.91
B&R No.	EB4400
Object Class	254
ADS	FLU ID13727

B.3 ESTIMATED COST AND AVAILABLE FEE

- (a) The estimated cost and total available fee pool will be established annually by the Government in accordance with DEAR 970.15404-4 and set forth in a modification to this provision.
- (b) The estimated cost of the specified contract periods, exclusive of the Contractor's fee, if any, is set forth below:

<u>CONTRACT PERIOD</u>	<u>ESTIMATED COST</u>
October 1, 1999 through September 30, 2000	\$TBD

- (c) The total available fee for the specified contract periods is set forth in B.4 below.

B.4 TOTAL AVAILABLE FEE

Fees delineated in Table B.4.1 are to be established annually in accordance with DEAR 970.15404-4 as published in the Federal Register (month) (day), 1998, Volume 63, Number (TBD), Pages (TBD) and in accordance with the Section I clause entitled DEAR 970.5204-54 TOTAL AVAILABLE FEE: BASE FEE AMOUNT AND PERFORMANCE FEE AMOUNT.

In the event the parties fail to agree on the amount of total available fee or any appropriate adjustments thereto under the aforementioned circumstances, the Contracting Officer may make a unilateral decision on the total available fee, subject to appeal under the clause of the contract entitled Disputes.

Total available fee for the contract is as follows:

Table B.4.1

	Fiscal Year	Government Specified Maximum Total Available Fee*	Offeror Proposed Fee Discount Factor	Offeror Proposed Total Available Fee (B) – [(B) X (C)] = (D)
	(A)	(B)	(C)	(D)
Basic Contract Period	FY 2000 (Oct-Mar)	\$10,000,000	5.0%	\$9,500,000
	FY 2000 (Apr-Sep)	TBD**	5.0%	TBD**
	FY 2001	TBD	5.0%	TBD
	FY 2002	TBD	5.0%	TBD
	FY 2003	TBD	5.0%	TBD
	FY 2004	TBD	5.0%	TBD
Option Period	FY 2005	TBD	5.0%	TBD
	FY 2006	TBD	5.0%	TBD
	FY 2007	TBD	5.0%	TBD
	FY 2008	TBD	5.0%	TBD
	FY 2009	TBD	5.0%	TBD

* Allocation between award fee and incentive fee shall be separately negotiated (or determined unilaterally by the Contracting Officer if good faith negotiations do not result in an agreement) each fiscal year.

** Potential exists for this amount to be up to \$18,000,000 depending on the number and value to the Government of performance based incentives implemented (See Section H Clause Entitled PERFORMANCE BASED INCENTIVES – INCENTIVES AND GOALS).

B.5 AVAILABILITY OF APPROPRIATED FUNDS

Except as may be specifically provided to the contrary in this contract in the clause in Section I entitled "Nuclear Hazards Indemnity Agreement," the duties and obligations of the Government hereunder calling for the expenditure of appropriated funds shall be subject to the availability of funds appropriated by the Congress, which the Department of Energy may legally spend for such purposes.